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Number of pages including this page: 8

RE:

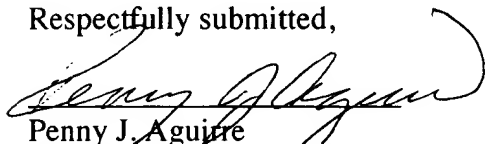
Applicant Christopher B. Howe
Serial No. 09/514,930
Filing Date 10/15/2001
Title *Sedum spectabile* Plant Named 'Pink Chablis'

Mail Stop: Duplicates
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir/Madam:

Enclosed with this cover sheet is are the color drawings (4 pages) as requested under 37 CFR 1.251 and a copy of the Notices received (3 pages). Please note that the name of the plant was changed by amendment on 1/14/2002 and again on a substitute patent submitted on 1/19/2007, if a correction can be made, it would be appreciated.

Respectfully submitted,



Penny J. Aguirre
Reg. No. 42,600, Customer No. 36947

04/30/2008
Date

Biological Patent Services, LLC
8424 40th Ave N., New Hope, MN 55427
Phone: 612-237-6623, Fax: 763-546-0263

CERTIFICATE OF MAILING BY FIRST CLASS MAIL

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents. PO Box 1450, Alexandria, VA 22313-1450

On 04/30/2008
Date

Signature 
Penny J. Aguirre, Reg. No. 52,546

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In re Application of: HOWE, CHRISTOPHER B.
Application No.: 09/514,930
Filing Date: 10/15/2001
Title: SEDUM PURPUREUM 'PINK CHABLIS'
Direct to: U. S. Patent and Trademark Office
Mail Stop: Duplicates
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

NOTICE UNDER 37 CFR 1.251 – Pending Application

Statement (check the appropriate box):

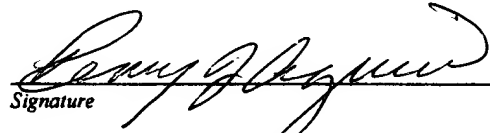
☐ The copy submitted with this reply is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The copy of the paper(s) listed in the notice under 37 CFR 1.251 is/are a complete and accurate copy of applicant's record of such paper(s).

☐ The papers produced by applicant are applicant's complete record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and applicant is not aware of any correspondence between the Office and the applicant for the above-identified application that is not among applicant's records.

☐ Applicant does not possess any record of the correspondence between the Office and the applicant for the above identified application.

04/30/2008
Date


Signature
Penny J. Aguirre
Typed or printed name

A Copy of this notice should be returned with the reply.

Burden Hour Statement: This collection of information is required by 37 CFR 1.251. The information is used by the public to reply to a request for copies of correspondence between the applicant and the USPTO in order to reconstruct an application file. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 60 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
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Serial No. : 09/514930
Applicant: Howe
Filing Date : 10/15/01
Date Mailed : 03/27/08

NOTICE TO FILE CORRECTED APPLICATION PAPERS

Notice of Allowance Mailed

This application has been accorded an Allowance Date and is being prepared for issuance. The application, however, is incomplete for the reasons below.

Applicant is given 2 months from the mail date of this Notice within which to correct the informalities indicated below. If the informality pertains to the abstract, specification (including claims) or drawings, the informality must be corrected with an amendment in compliance with 37 CFR 1.121 (or, if the application is a reissue application, 37 CFR 1.173). Such an amendment may be filed after payment of the issue fee if limited to correction of informalities noted herein. See Waiver of 37 CFR 1.312 for Documents Required by the Office of Patent Publication, 1280 Off. Gaz. Patent Office 918 (March 23, 2004). In addition, if the informality is not corrected until after payment of the issue fee, for purposes of 35 U.S.C. 154(b)(1)(iv), "all outstanding requirements" will be considered to have been satisfied when the informality has been corrected. A failure to reply will result in the application being ABANDONED. This period for reply is NOT extendable under 37 CFR 1.136(a).

See attachment.

Per notice 1.251 sent 03/17/08 regarding color drawings dated 02/28/00. The notice does not give a reply date for drawings. NOTICE TO FILE CORRECTED APPLICATION PAPERS is related document that correctly addresses drawing requirement & due date, which is 2 months from mail date as indicated above.

***A copy of this notice MUST be returned with the reply. Please address response to
"Mail Stop Issue Fee, Commissioner for Patents,
P.O. Box 1450, Alexandria, VA 22313-1450".***

L. Fletcher _____
Your name
Office of Patent Publication
Phone: 703-308-9250, ext. 143



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

NOTICE UNDER 37 CFR 1.251 - Pending Application

☐ The file on the cover sheet cannot be located after a reasonable search. Therefore, the Office is initiating the reconstruction of the file of the above-identified application pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of applicant's record (if any) of all of the correspondence between the Office and applicant for the above-identified application (except for U.S. patent documents), a list of such correspondence, and a statement that the copy is a complete and accurate copy of applicant's record of all of the correspondence between the Office and the applicant for the above-identified application (except for U.S. patent documents), and whether applicant is aware of any correspondence between the Office and applicant for the above-identified application that is not among applicant's records.

☒ The following paper(s) pertaining to the above-identified application cannot be located after a reasonable search:

The original color drawings dated 2/28/2000.

Therefore, the Office is initiating the reconstruction of such paper(s) pursuant to the provisions of 37 CFR 1.251.

Applicant is hereby requested to provide a copy of the paper(s) listed above and a statement that the copy of such paper(s) is a complete and accurate copy of applicant's record of such paper(s).

If applicant does not possess any record of the correspondence between the Office and the applicant for the file listed on the cover sheet or any copy of the paper(s) listed, applicant must reply to this notice by providing a statement that applicant does not possess any record of the correspondence between the Office and the applicant for the above-identified application.

☐ A printout from PALM of the contents of the file of the above-identified application is included with this notice.

Direct the reply to this notice to:

U. S. Patent and Trademark Office
Mail Stop: **Duplicates**
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Direct questions concerning this notice to:

Image Assistance Center/ Customer Service

1-(888)-786-0101

PTO Doc. Code: R251.NTC (Rev. 03/05)